

FILED

JUN 26 2013

**New Jersey State Board of
Massage and Bodywork
Therapy Examiners**

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MASSAGE AND BODYWORK
THERAPY

IN THE MATTER OF THE
APPLICATION OF

XUE J. HAN

TO PRACTICE MASSAGE ANDDD
BODYWORK THERAPY IN THE
STATE OF NEW JERSEY

FINAL ORDER OF
DENIAL OF CERTIFICATION/
LICENSURE

This matter was opened to the Board of Massage and Bodywork Therapy (the Board) upon receipt of information which the Board has reviewed and the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Xue J. Han applied online for licensure by the Board.
2. On Ms. Han's application, she indicated "N" for "no" in response to the questions as to whether she had been arrested or charged with any violation of law, or convicted of any crime or offense. Ms. Han also certified to the truth of her response.
3. Ms. Han underwent a criminal history background check

which indicated that Ms. Han had been arrested on June 29, 2012 and charged with loitering for the purpose of prostitution. She was convicted of a local ordinance violation on October 3, 2012 and assessed \$230.00. Ms. Han was also arrested on July 12, 2012 as a deportable alien.

4. Although Ms. Han had been asked to provide a copy of the complaint, and a legible copy of the police report with all supporting statements, as well as a narrative statement giving her version of the conduct that led to the arrest, and a statement explaining why she answered "no" to the questions about arrests and convictions, these were not provided.

CONCLUSIONS OF LAW

1. Ms. Han's failure to disclose on her application that she had been arrested on prostitution charges in 2012, and convicted of a local ordinance violation, constitutes a violation of N.J.S.A. 45:1-21(b).

2. Ms. Han's failure to fully respond to the Board's request for information and documents constitutes a violation of N.J.A.C. 13:45C-1.2, -1.3, subjecting her to denial of her request for licensure pursuant to N.J.S.A. 45:1-21(e).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on April 11, 2013, provisionally denying Ms. Han's application for certification/licensure. A copy of the Order was forwarded to

the applicant by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless the applicant requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting the applicant's request for consideration and reasons therefor.

Although the Provisional Order was sent to the applicant's address of record with the board, the record reflects that the certified mailing of the order was returned, unclaimed. The regular mailing was not returned. No response has been received to date. Accordingly, the Board determined that service had been effected, inasmuch as the mailings had been sent to the applicant's address of record. The Board further determined that as no material discrepancies had been raised with respect to the findings of fact and conclusions of law of the Provisional Order, additional proceedings were not necessary, and the Provisional Order should be made final.

ACCORDINGLY,

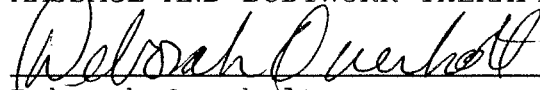
IT IS on this 26th DAY of June , 2013,

ORDERED that:

1. Ms. Han's application for licensure by the Board of
Massage and Bodywork Therapy is hereby denied.

NEW JERSEY STATE BOARD OF
MASSAGE AND BODYWORK THERAPY

By:


Deborah Overholt
Chairperson